

ORIGINAL

Before the
Federal Communications Commission
Washington, D.C. 20554

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In the Matter of)
)
Advanced Television Systems)
and Their Impact Upon the)
Existing Television Broadcast)
Service)

MM Docket No. 87-268

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: The Commission

COMMENTS

Central Virginia Educational Telecommunications Corporation ("CVETC"), the licensee of noncommercial educational station WCVW-TV, Richmond, Virginia hereby submits the following comments in response to the Commission's Public Notice, released December 2, 1997, in the above-captioned proceeding.

CVETC commends the Association for Maximum Service Television, Inc. ("MSTV") for its diligent efforts to resolve the numerous complex technical issues associated with the allocation of channels for digital television ("DTV") service in the United States. However, CVETC opposes the wholesale changes to the Commission's Table of Allotments¹ suggested by MSTV. The issues raised by MSTV in its ex parte filing submitted November 20, 1997, such as reducing interference to analog and digital service in congested areas of the country and addressing short-spacing problems

¹ See Sixth Report and Order, MM Docket No. 87-268, adopted April 3, 1997, FCC 97-115 (released April 21, 1997).

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created by adjacent DTV channels, are more appropriately handled on a case-by-case basis, rather than through a new Table. The adoption of a new Table at this point would force most broadcasters to replicate the process of analyzing their individual allotments, thereby increasing both the expense and uncertainty surrounding the transition to digital service.

Specifically, MSTV's suggested changes would have a significant adverse effect on WCVW-TV. The station currently operates on NTSC channel 57. In its DTV Table of Allotments, the Commission has allotted DTV channel 44 to WCVW-TV. The MSTV plan, however, proposes that WCVW-TV transmit from DTV channel 58, a channel which is clearly outside the future DTV "core spectrum."² Because WCVW-TV's current NTSC channel 57 and the DTV channel proposed by MSTV are both outside the core spectrum, WCVW-TV would be forced to relocate to a digital channel within the core spectrum at the end of the DTV transition period. Such a forced relocation would impose unusual hardships on WCVW-TV, requiring the noncommercial educational station to incur substantial additional equipment expenses in order to construct a second digital transmission facility.

In an attempt to address this potential problem, CVETC has completed an independent study of the digital allotments in the greater Richmond area. It suggests that the Commission assign DTV channel 28 to WCVW-TV if it adopts MSTV's changes to the Table of Allotments. Appended hereto as Attachment 1 is an engineering study

² At the end of the DTV transition period, the Commission intends to locate all DTV channels within a "core spectrum" of either channels 2-46 or 7-51. See Sixth Report and Order at ¶ 83.

demonstrating that DTV channel 28 is available and compatible with the MSTV plan. DTV channel 28 is also compatible with the Commission's Table of Allotments. In the event that the Commission elects not to adopt the MSTV plan, therefore, CVETC would accept either DTV channel 44 or DTV channel 28.

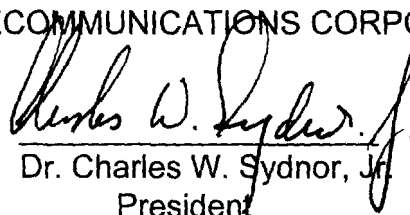
Accordingly, CVETC urges the Commission to reject the MSTV proposal and, instead, to continue working with the existing DTV Table of Allotments.

Respectfully submitted,

CENTRAL VIRGINIA EDUCATIONAL

TELECOMMUNICATIONS CORPORATION

By:


Dr. Charles W. Sydnor, Jr.
President

December 16, 1997

ATTACHMENT 1

ENGINEERING STATEMENT
ON BEHALF OF
CENTRAL VIRGINIA EDUCATIONAL
TELECOMMUNICATIONS CORPORATION
FOR WCVE-TV AND WCVW
RE RESPONSE TO EX PARTE FILING
BY MSTV IN MM DOCKET NO. 87-268

DECEMBER 1997

COHEN, DIPPELL AND EVERIST, P.C.
CONSULTING ENGINEERS
RADIO AND TELEVISION
WASHINGTON, D.C.

City of Washington)
) ss
District of Columbia)

He is a graduate electrical engineer of the University of Canterbury, New Zealand, a Registered Professional Engineer in the District of Columbia, the State of Virginia, the State of South Carolina, and Vice President of Cohen, Dippell and Everist, P.C., Consulting Engineers, Radio - Television, with offices at 1300 L Street, N.W., Suite 1100, Washington, D.C. 20005; previously employed for 15 years with the New Zealand Broadcasting Corporation; a member of the Institution of Professional Engineers New Zealand (IPENZ), the Association of Federal Communications Consulting Engineers (AFCCE), and the National Society of Professional Engineers (NSPE).

That the attached engineering report was prepared by him or under his supervision and direction and,

Garrett M. Powis

Subscribed and sworn to before me this 12th day of December, 1997.

Carl L. Ryan
Notary Public

My Commission Expires: 2/28/98

This engineering statement has been prepared on behalf of Central Virginia Educational Telecommunications Corporation ("CVETC"), licensee of non-commercial educational television stations WCVB-TV, Channel 23, Richmond, Virginia, and WCVW, Channel 57, Richmond, Virginia, concerning the ex parte submission filed by the Association of Maximum Service Television, Inc. ("MSTV"). The Commission in the Sixth Report and Order in MM Docket No. 87-268 ("Sixth Report") allotted DTV Channel 44 to WCVW.

CVETC has reviewed the MSTV filing, as it relates to the greater Richmond, Virginia, area. CVETC specifically urges the Commission not to adopt the Channel 58 DTV allotment proposed by MSTV to be associated with the current Channel 57 NTSC operation of WCVW. Since both channels 57 and 58 are located outside the future core spectrum options, CVETC would be forced into a third investment in transmission facilities for the post-transition.

CVETC has undertaken an independent study of the allocation situation in the greater Richmond area and suggests that the Commission assigns DTV Channel 28 to WCVW if it adopts components of the MSTV ex parte plan. For a potential Channel 28 DTV operation of WCVW, Table I depicts the DTV to NTSC allocation situation and Table II reflects pertinent DTV to DTV allocation situations with respect to the FCC Sixth Report and the MSTV ex parte DTV plans. Channel 28 is compatible with both the FCC and MSTV DTV plans for DTV use by WCVW.

In the event that the Commission does not adopt the MSTV ex parte plan, CVETC would accept either DTV channels 44 or 28 for WCVW.

COHEN, DIPPELL AND EVERIST, P. C.

TABLE I
POTENTIAL WCVW CHANNEL 28
DTV TO NTSC ALLOCATION STUDY
DECEMBER 1997

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Distance</u>	
			<u>Actual</u> km	<u>73.623</u> km
N	28	WCVW-DTV Richmond, VA	--	--
N-14	14	None within 120 km	--	< 24.1, > 80.5
N-8	20	None within 120 km	--	< 24.1, > 80.5
N-7	21	None within 120 km	--	< 24.1, > 80.5
N-4	24	None within 120 km	--	< 24.1, > 80.5
N-3	25	None within 120 km	--	< 24.1, > 80.5
N-2	26	None within 120 km	--	< 24.1, > 80.5
N-1	27	None within 120 km	--	< 9.7, > 88.5
N	28	WCPB Salisbury, MD	201.4	217.3
N+1	29	WVIR-TV Charlottesville, VA	93.5	< 9.7, > 88.5
N+2	30	None within 120 km	--	< 24.1, > 80.5
N+3	31	None within 120 km	--	< 24.1, > 80.5
N+4	32	None within 120 km	--	< 24.1, > 80.5
N+7	35	WRLH-TV Richmond, VA	8.8	< 24.1, > 80.5
N+8	36	None within 120 km	--	< 24.1, > 80.5

COHEN, DIPPELL AND EVERIST, P. C.

TABLE II
POTENTIAL WCVW CHANNEL 28 DTV
DTV TO DTV ALLOCATION STUDY
DECEMBER 1997

1. FCC Sixth Report and DTV Plan

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Distance</u>	
			<u>Actual</u> km	<u>73.623</u> km
N-1	None within 120 km		--	< 32.2, > 88.5
N	WFPT-DTV	Frederick, MD	199.5	196.3
N + 1	None within 120 km		--	< 32.2, > 88.5

2. MSTV Ex Parte DTV Plan

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Distance</u>	
			<u>Actual</u> km	<u>73.623</u> km
N 28	WCVW-DTV	Richmond, VA	--	--
N-1	None within 120 km		--	< 32.2, > 88.5
N	WFXR-DTV	Roanoke, VA	228.9	196.3
N + 1	None within 120 km		--	< 32.2, > 88.5